THE CRIPPLED TRUST COMPANY MAY RESUME

Russell Sage and Other Capitalists Trying to Put the Insolvent Concern On Its Feet Again.

BRIGHT HOPES OF SUCCESS.

Directors Who Are Responsible to the Extent of \$5,000 Each Under a Curious Provision of the Institution's Charter.

It begins to look as though it were possible for the American Loan and Trust Company to be reorganized. Russell Sage, John L. Blair and a few other capitalists who hold stock in the company are trying to get some new blood into the concarn and to shake out the officers and directors who are supposed to be responsible for the present insolvent condition of the institution.

As the Henaud has repeatedly stated, President Baldwin is to be retired and succeeded by probably James A. Blair and Vice President Evans, and Sec retary Thurston will also be obliged to retire. Since the old trust company closed its doors on Wednesday Mr. Sage has been in consultation with ex-Judge Granville P. Hawes, the counsel for the company, and with Superintendent Preston, with a view of carrying out the plans for rehabilitating the company, one of the conditions of which is that the big loan of \$340,000 to the Decatur Railroad Company is to be taken up by a syndicate, so that this large sum in cash may be restored to the capital under the new management.

There was a meeting of the stockholders of the company at Mr. Sago's office yesterday morning to consider the reorganization. MAY SOON RESUME.

Mr. Sage said yesterday afternoon:- 'Some of my friends and myself are at work on this matter, and I think the company will certainly resume business within a week. I have looked over the accounts and securities, and I can see that if these assets are nursed, instead of being realized upon under a forced sale, there will not be probably more than one-half as much loss as is estimated by the Bank Examiner. He has counted some of the securities, for instance, at twenty-five cents on the dollar, which I know to be worth more than

"The company has lost about \$500,000, or half of the company has rose about ecce, one, or has or shall put into it to avoid the sacrifice of any of the securities which it holds, and under the management of honest directors, I think the company will make money. Don't understand me as meaning that the present directors are dishonest, but they have not managed the affairs of the company wisely or well."

or well."

Superintendent Freston, in answer to my question as to what he thought of the company's chances for the future, replied—

"If this reorganization goes on the concern will be on a basis that will make it stronger than it has ever been. The plans have not yet taken sufficient shape to warrant me in speaking positively, but I think it will be rehabilitated, possibly on a reduced capitalization."

capitalization."
"Have you had any more demands for large sums like those that compelied the closing of the doors?"
"No; on the centrary, some money has been collected to-day, about \$10,000, I think. When the doors were closed yesterday there was \$52,000 in cash on hand."
"Will you push for the appointment of a receiver when the motion of the Attorney General comes up in court to morrow?"

when the motion of the Attorney General comes up in court to morrow?"
"Not if the plans for reorganization take shape, as they seem to be doing. I am to have a conference with the Attorney General this evening on that subject. There will probably be an adjournment to morrow, so as to give the company's stockholders time to gat together. The charter of the company, as you know, is one of the old special acts and is particularly valuable because it confers privileges which companies organized under the present general law do not possess. The charter of this dompany has not been vitiated by the suspension."

There is a curious provision of the charter of this company which will be found useful in the present emergency. Section 2 of the charter reads:—

No person shall be a director in this corporation uples he shall hold in his own right fifty shares of its stock and overy director shall be personally liable for over-iest incurred by the corporation during his administra-tion to the extent of not exceeding \$5,000.

Under this clause of the charter the company nay be able to collect about \$200,000 from about orty gentlemen who are now or who have been irectors in the company since President Hazard's regime of and management began and since the debts have been hunging like a milistone about the neck of the concern, finally to drag it down into bankruptey.

MEN WHO MAY BE LIABLE.

Here are the names of most of the gentlemen who would probably be liable under this clause of the

would probably be liable under this clause of the charter:—
Benjamin F. Tracy, Thomas C. Platt, John L. Macaulay, Roland N. Hazard, George S. Hart, Alexander G. Black, Wallace C. Andrews, John L. Blair, William P. Anderson, General Jules Aldige, John D. Kimmey, John Ross, Charles Parsons, George A. Evans, Granville P. Hawes, James S. Thuraton, John S. Silver, Thomas F. Goodrich, Payson Merrill, Heman Clark, John F. Townsend, O. D. Baidwin, George H. Petit, General James M. Varnum, E. Browning, Elias Lewis, Jr.; William D. Snow, Charles R. Early, James B. Whitney, and Thomas L. Watson.

Watson. William B. Dinsmore, Jesse Hoyt and Frederic S. Potts, deceased, were also directors, and it is possible that their estates may be liable for their \$5,000 shares of the indebtedness.

LIBEL CLEARLY DEFINED. IMPORTANT AND INTERESTING DECISION BY

SUPERIOR COURT JUDGE MCADAM. In a decision rendered yesterday refusing to grant a new trial where the complaint had been

dismissed in a libel suit, Judge McAdam, of the Superior Court, outlines in very clear and terse lauguage the law in regard to libel suits. Here is what he said :--

Aside from ex parte petitions and the like, any publication made in the ordinary course of judicial proceedings is privileged if the article be a fair and impartial account thereof. Though the publication may be to the disadvantage of the particular suitor the paramount advantage to the publication may be to the disadvantage of the particular suitor the paramount advantage to the publication that contained in the opinion of Lawrence, J., in Rex., vs. Wright, in which it is stated in subtance that, though the publication of proceedings accounts of justice may severely reflect on individuals, yet such publications, if they contain true accounts, are not libels—not the subjects of actions—because it is of great importance that the proceedings of courts of justice shall be known; that the general advantage to the country in having these proceedings made public will counterbalance the inconvenience to the person whose conduct may be the subject of the proceedings or, as C. B. Polleck said:—"One ought to make as wide as possible the right of the public to know what takes place in any court of justice and to protect a fair bons inde statement of proceedings thege."

inow what takes place in any court of justice and to protect a fair bona fide statement of proceedings there."

There was a judicial hearing and inquiry had in the present case in open court, and the public had the right to know all about it. The policy of the state is tersely expressed in these words from the constitution:—"Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the use of that right; and no aw shall be passed to restrain or shridge the liberty of speech or of the press." This is the surreme law of the land and contains as noble a sentiment as was ever penned by man.

Truth, irrespective of motives, is a complete justification to a civil action for a libel. " " Anyone has a right to comment on methods of public interest and general concerns provided he does so fairly and with an honest purpose. Such comments are not libellous, however severe in their terms, unless they are written maliciously. While the law justifies honest reports and comments trill not permit one, under the guise of reporting proceedings, to use the dagger of malice, the assassin of character, to circulate falsehood, whose only office is to injure and destroy. Report and comments are two separate and distinct things. A report is the mechanical reproduction of what actually took place. Comment is the judgment passed on the circumstances reported by one who has applied his mind, to them. Fair reports are only in the sum of the provingers, while law comments are no Hoels at all, Blending the report and comments together does not make the article libellous if it would not be such if the one were separated from the other.

MADAME PORRET SUED,

promissory note for \$1,500 drawn by Eliza Porret in favor of John Parker.

Mr. Parker died intestate some time ago and his effects were taken possession of by the Public Administrator and this note was found among them.

Mr. Parker was clock of the Astor House many years ago, when Mr. Stetaon was its proprietor. Under what circumstances he came to loan money to the "French Madame" is not known, but it is said that he made her acquaintance many years ago. In her answer to the suit Mme. Porret denies that she ever kept a notorious resort and declares that she doesn't even know what a promissory note is.

THREE ORDERS OF ARREST.

THESE ARE KEEPING ALVA E. DAVIS IN LUD-LOW STREET JAIL-COUCH'S SUIT.

Alva E. Davis is overwhelmed with civil prosecu tion, and he is liable to remain in Ludiow Street Jail for some time to come. There are at present three orders of arrest against him, in which the bail aggregates about \$15,000.

The most recent order was issued by Judge Pryor, of the Court of Common Pleas, in the suit of Albert C. Couch to recover \$100,000 damages alleged to have resulted through Davis' fraud and misrepre-

Couch has been a promoter of and interested in various railroad enterprises in the upper part of this State. He had valuable contracts for the construction of railroads from Richfield Springs to Onconta and from Cheonta to Earlyville. He was given an option to build a railroad for the Fort Plain Company, which was to connect the Richfield Springs Road with Fort Plain.

As a condition of this option he was to pay the company \$4,000 within two years, and the company was to transfer to him all but \$10,000 of its capital stock of \$690,000, its maps, &c. The cost of constructing the road was estimated at \$500,000, and being without capital or influence to secure funds he came across Davis.

ONIX MINE PROFITS. this State. He had valuable contracts for the con-

funds he came across Davis.

ONX MINE PROFITS.

He says that Davis represented that he was a man of large wealth and expressed a desire to help him out. He told Couch that he had just sold an onyx and gold mine in Mexico to a syndicate of German capitalists and the United States National Bank, at Chicago, for over \$0,000,000 and that there was a large portion of this due which would be paid shortly.

shortly.

Couch was induced by these representations, which he subsequently ascertained were false, to enter into a contract with Davis by which the latter agreed to assume the option and to build and equip the railroad and have it running by June 16, 1891. It was agreed that Couch should have one-third and Davis two-thirds of the profits. Couch was to secure subscriptions to \$75,000 of the bonds of the Fort Plain company and options to seventeen hundred acres of land gratis for the line of the railroad.

So many enterprises of this kind had fallen through that the land owners had become suspicious, but having confidence in the plaintiff and believing that the value of their land would be enhanced they willingly consented to give the land required.

hanced they willingly consented to give the land required.

GOT BUT LITTLE MONEY.

Couch was in need of money, and so stated to Davis, who, he says, agreed to give him as his share \$5,000 in money, \$5,000 in notes and \$15,000 in bonds of the company.

Davis gave him in all but \$3,755 in notes, which he had discounted and applied the proceeds to most pressing needs and expenses. These notes, plaintiff says, are long overdue and still unpaid. He asserts that he has performed all of the conditions of the contract, but Davis has not done anything. On the contrary he has led Couch along, as alloged, by false statements and promises which he never intended to perform, until the plaintiff has come into a position where the railroad option will be of no value to him and his Onconia and Earlyville enterprises rendered impossible to carry out.

Couch says Davis did this so as to get him in his power and extort his railroad enterprises from him for inadequate consideration and get the benefit of all his work and expenses, and in fact to "freeze him out" entirely.

Couch demands \$100,000 damages.

m out" entirely. Couch demands \$100,000 damages.

AUCTIONEERS WERE BUSY.

PARK ROW PROPERTY COMMANDS GOOD PRICES ON THE REAL ESTATE EXCHANGE,

The Real Estate Exchange was alive to business yesterday, and was the only downtown exchange pen after twelve o'clock. The many sales bulletined to take place at noon made it impossible to close at that hour. The attendance on the floor made it apparent that A No. 1 property was offered. Auctioneers R. V. Harnett & Co. sold by order of Abel Crook the premises known as Nos. 114, 116 and Abel Crook the premises known as Nos. 128, 110 and 118 Park row, being a six story marble front brigh building, familiarly known as "Crook's Hotel," with plot of land 48,7x105. The premises are now vacant. The first bid for the property was \$80,000, and by active bidding it reached \$98,300, at which figure it was knocked down to Philip Furlong.

The southeast corner of avenus A and Seventy-first street, 100,5x98, sold for \$30,000 to Henry A. Kogtar.

The southeast corner of avenue A and Seventy-first street, 100.5x88, sold for \$39,000 to Henry A. Koster.

The same auctioneers sold a two story frame dwelling and lot, 25x99.11, situated on the north side of 159th street, 226 feet west of Amaterdam avenue, for \$6,500 to B. Levine.

Also, under a decree of foreclosure, they sold the two five story brick flats, Nos. 1,188 and 1,100 Park avenue, with plot 55x80, for \$49,000, to L. S. Baker.

The sale of Nos. 1,570 to 1,578 Madison avenue was adjourned to March 3.

The sale by H. Henriques of 148th street property was adjourned to March 5.

The stand of Messrs. Adrian H. Muller & Son was surrounded by a crowd of smart and active bidders. They sold the estate of Stephen T. Fotherall, deceased, No. 5 Chatham square, a two story brick and frame building leased until May 1, 1892, at \$2,620 per annum, with lot 25.4x185.0x24.0x134.10, to Lewis S. Samuels, under the sebriquet of "George H. Quick," for \$58,000.

Nos. 147 and 149 Park row, near Pearl street, 30x64.6, with two story brick and frame buildings, leased to May 1, 1894, at \$2,200 per annum, brought \$35,000, B. Guiller being the purchaser.

L. S. Quackenbush paid \$27,000 for No. 421 Pearl street, situated on the southwest corner of Rose street, 16.5x74.

Auctioneer Jere Johnson, Jr., sold No. 231 East Porty-fifth street, a five story double brick tenement on lot 25x100.5, for \$20,000, to G. Kimpl.

No. 232 East Seventy-fourth street, was knocked down at \$15,100. No. 324 East Forty-eighth street was also knocked down at \$15,500.

Meyer S. Isaacs bid in the property, No. 333 Second avenue, sold by John F. B. Smyth, at \$11,775.

No. 770 Eighth avenue was sold at private contract.

Auctioneers Adrian H. Muller & Son sold, by order of the executors, Nos. 511, 513 and 515 West Thirty-sixth street, two and three story brick house and lots, each 25x99, for \$17,050 each to B. Fraund. No. 245 West Fifty-fifth street, rented at \$1,600 per annum, for \$21,700 to Peter Farley.

133d st., Nos. 577 to 581 East; Hannah D. Gerbell to Charles Boyce.
Beekman place. S. w. cor. of 50th st., 19x30; Charles Boyce and wife to Hannah D. Gerbell. 14,000 (6th st., s. 6., 140 ft. w. 4th av., 20;100,5; Herace L. Hotchkies, executor, to kate F. Timmermann.

mormann... 30,000
Same property; Almira R. Hetchkias and another
of anne
Tist at., 159 West; Sucie Smith to Ellen Me
Donald.
Av. B. o. n., 22 ft. a. of 17th at., 30x65; Peter
Thomas to Adelherd: Pankow.
Wooster st., 186 and 188; Monmouth B. Wilson to
Stephen F. Shortland.
Stant... 171; Louis Ungrich et al. to Edward F.
Schwedler.
Macdougal st., 171 and 173; Archibaid D. Russall
and wife to Thomas S. Williams
Lexington av., w. s., 63.1 ft. n. of 55d at., 20.10x
70; M. A. C. Levy to Dorothos Picken
Sth st. s., 213 ft. e. of 9th av., 18k102.2; Estelle Puttel and another to Hanchen Jarcs.
29,500
Sth st. s., 213 ft. e. of 19th av., 18k102.2; Estelle Puttel and another to Hanchen Jarcs.
29,500
Genson, Elliott P., to the Bank for Savings, n. s.
Houston, Elliott P., to the Bank for Savings, n. s.
Houston, w. of Mareer st.; 1 year.
Lakkin, Annic M., to the Emigrant Industrial
bavings Bank, n. s. 18th st., w. of 2d av.; 1 year.
McDonald, Ellen, to Susta Smith, n. s. 71st st., w.
of 9th av.; 2 years
Resential, Imasc, and wife, to the East River
Savings Institution, e. s. Madison av., s. of 128th
st.; 1 year.
Schwedler, Edward F., to the New York Savings
Bank, w. 5th st., s., of 40th st.; 1 year.
Houston, Savings Hank, 27d, 37d Hudeon st., and
Williams, Thomas S., to the Orphans' Home und
Asylum of the Protestant Episcopal Church,
Sew York; 3 years.
Selection of the Protestant Episcopal Church,
Sew York; 3 years.
Savings Hank, 27d, 37d Hudeon st., and
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Williams, Thomas S., to the Orphans' Home und

BUSINESS EMBARRASSMENTS.

The sheriff's sale of the property of the New York Smolting and Refining Company, of No. 506 West street, under the executions issued against the concern in inver of the First National Bank, has been postponed until next Wednesday, to give the company a chance to arrange mext Wednesday, to give the company a chance to arrange matters. Julius Goldman, attorney for some of the creditors, said the company had placed its affairs in the hands of the creditors, and the latter expect that a settlement will be eatisfactorily arranged, as the affairs are Charles L. Embitte, dealer in jewelry at No. 457 Broadway, is reported as offering to compromise with this creditors at twenty-live sents on the solitar in notes at six, nine and twelve months. Its liabilities are said to be about \$4.000, due to about forty creditors. Several small independs have been entered against him.

An attachment for \$2.323 has been obtained in the Now Yerk Supreme Court seathers. W. Lowie & Son, knitting mills, at Ausonia, Conn., in favor of Seed & Dunby, wool dealors, on protested deaft.

William T. Mitchell, merchant tailor at So. 442 Sixth avenue, made an assignment yesterday to George Profesid. He was formerly of Henig & Michelyl and sold out least duly and started the present business in September, claiming a capital of \$10,000.

ANOTHER FURNITURE DISPUTE.

MADAME PORRET SUED.

Gustav Galler, twenty-two years old, who has only been married six months, was arrested to live Dickensen, a colored laborer, was arrested to wednesday upon a warrant issued by Police Justice Ford, charging him with grand larceny, in the Laz Porret, who, while proprietor of the Café Bijon, was known as the "Franch Madame." The suit is to enforce payment on a ment plan, to this city. He claims that his arrest while show as walking along the street.

John Dickensen, a colored laborer, was arrested to winder the intention of the solution of the street.

Madame." The suit is to enforce payment on a married six months, was arrested to wednesday upon a warrant issued by Police Justice Ford, charging him with grand larceny, in having removed a quantity of furniture which had purchased in Newark, N. J., upon the instalment plan, to this city. He claims that his arrest Harris Eadeau; Treasurer, E. C. Richardson.

is illegal, and, as he is in jail to await extradition to New Jersey, has secured from Judge Ingraham awrit of habeas corpus and certiforari for the purpose of having the Supreme Court inquire into his

detention.

Galler purchased the furniture about a month ago from McManus & Co., of Newark, for \$170, agreeing to pay so much a month. When he was moving to this city he was arrested in New Jersey for taking the furniture away, but was discharged. The purpose of arresting him now is to have him seat back to dersey in order that he may be prosecuted criminally for taking the furniture out of the State.

MAYOR CLEVELAND DEFIED.

THE POLICE COMMISSIONERS REFUSE TO WITH-

DRAW THE GUARD AT CLARK'S MILLS. The Jersey City Police Commissioners have refused to obey the mandate of Mayor Cieveland and the police will not be called back from Kearny, where they have been guarding the property of the

Clark Thread Company.

If the Mayor, as many claim, has made a clever move to win the favor of the strikers and their sympathizers the matter will probably rest as it is, If he is sincere and determined to have his command obeyed he may suspend the Police Commis-sioners. It is believed, however, that he will not

sioners. It is believed, however, that he will not take further action.

The Police Commissioners held a conference yesterday to consider the letters from the Mayor, as the Henald announced they would. The Mayor was invited to attend, but instead he sent the following letter:—

following letter:

CHIRF BENJAMIN MURPHY:

DEAR SIR-Your request that I shall meet the Beard of Police Commissioners at a conference at Headquarters at two!', M. is just received. No conference in required on the subject of calling back to duty the police from this city. It is action and that promptly. Yery respect this city. It is action and that promptly. Yery respect to the conference of the city. It is action and that promptly. Yery respect to the conference of the city. It is action and that promptly. Yery respect to the city. It is action and that promptly. Yery respect to the city. It is action and that promptly. Yery respect to the city. It is action and that promptly. Yery respect to the city.

officity. At a section and then promity very respectively.

All the members of the Board, Police Commissioners Feeney, Beuson and Kelly, were present. Prosecutor Winfield represented the Governor, and Sheriff McPhillips, Corporation Counsel Edwards, Assistant Prosecutor Noonan and Chief Murphy attended. The Prosecutor quoted from the statute book to show that the Sheriff had authority to summon any one as a member of his posse, including the Mayor, and that the police officers doing duty at Kearny are obeying the law. The Commissioners accepted his interpretation of the law, and decided, despite the Mayor's opposition, to continue the uniformed police at the mills.

silion, to continue the universe of the mills.

Mayor Cleveland, when questioned about the defiant action of the Police Board, said:—

"I have no power in the premises. Had I the power i would call the men home at once. I do not think the law can be stretched to the extent claimed. The Sheriff cannot deprive this city of protection. Suppose, for instance, he summoned members of the fire department on his posse, and a fire broke out; we would have to go all the way to Kearny to get our firemen. I will not take any further action."

The Mayor has no direct control over the police, except in the event of a riot in the city. Then he becomes the commander. This authority ends when the riot is over. But he appoints, and indirectly controls, the Police Board.

RECTOR VERSUS CHOIR.

DISCORD IN A LEADING JERSEY CITY CHURCH THAT EXCITES MUCH COMMENT.

Rector Chapman, of Grace Protestant Episcopal Church, Greenville, Jersey City, was informed several weeks ago that his resignation would be acceptable, but he did not send it in. The preacher afflicted with throat trouble and his hearers could not in consequence enjoy his sermons,

Rector Chapman is at variance with the choirmaster, Frederick R. Morse. The latter is a talented musician and has organized a fine choir, 'The music has been an attractive feature of the church services. The choirmaster is an extremely High cryices. The choirmaster is an extremely High Churchman and trained the choir to observe the rules of singers in the High Church. The musical selections were not satisfactory to the rector and many of the congregation. The rector conveyed the wishes of the congregation to the choirmaster on Friday last, and in consequence but few members of the choir appeared at the services last Sunday. The singing of course was far below the usual standard of excellence, and dissatisfaction was expressed.

prossed.

Mr. Morse, who has been the choirmaster for seven years, has had authority to nominate the musical selections and declares he will not be distated to on the premises. He says if there is any further interference he will resign. Rector Chapman admitted that he had written to the choirmaster and the complaint had caused some trouble, "but," he said, "it will all pass over in a few days."

KATIE SCHILLING'S STORY.

SHE MAKES SOME SERIOUS ACCUSATIONS AGAINST

CHINESE LAUNDBYMEN. Some startling developments are expected in the case of John Lee. of No. 142 Ferry street, and Lee Yon, of No. 97 Hamburg place, Newark, the Chins men who are chared with assault by Katie Schilling, a fifteen-year-old girl.

Both men were held for examination yesterday, and the evidence against them is very strong.

And the evidence against them is very strong, ...
Ratie is paroled in charge of her mother, who lives at No. 228 Barcley street.

The girl says that three months ago she went to visit a friend named Ida Dunn, who married a Chinaman named Charlie Leo on Springheid avenue. Whis there some Chinamen gave her money, and since that time she had visited, with other girls, laundries on she had visited, with other girls, laundries on Springfield avenue, Ferry street, Hamburg place, Flane street, Academy street, South Orange avenue and Belmont avenue. Her parents thought she was working, because she always brought home money on Saturday. She usually went to matinees, where she met other girls. Many young girls, she said, came to Newark from New York to visit the Chinamen.

The accused men claim that they never saw the girls before, but the police have evidence sufficient to guarantee the arrest of several other men. JACOB SCHENCK IS MISSING.

HE WAS BAGGAGE MASTER AT MELLENVILLE AND HIS ACCOUNTS ARE \$1,200 SHORT.

Jacob Schenck, the baggage master at Mellen-ville, a station on the Hudson and Chatham branch of the Boston and Albany Railroad, has decamped, leaving a shortage in his accounts with the com-

Schenck is about twenty-seven years of age and Schenck is about twenty-seven years of age and has been employed by the company for eight years. He has borne an excellent reputation and enjoyed the confidence of the entire community, but during the past few months he has been disalpated and has squandered considerable money in the gambling places in this city.

About a week ago Schenck was told by Agent Horton, of the railroad company, that an investigation of his accounts would be made by the general auditor. The baggage master then confessed that a small shortage existed in his accounts, but promised to make any deficiency good at once. Instead of making a settlement with the company, however, he boarded an early south bound train on Wednesday morning, on the Harlem road, and has not been seen since.

SHOT A SMALL BOY.

Peter Donahue, of No. 31 Reynolds avenue. Kearny, a boy seven years old, was accidentally shot in the right arm on Wednesday night while watching the parade of the Clark strikers through Harrison. The shot was fired by Dennis Dunn, who had borrowed a revolver to fire a satute. The cartridge failed to explode, and while Dunn was exnining the revolver it was discharged and the nilet struck an awning pole, whence it glanced off

to the boy's arm.
The strikers at Kearny are confident of success, and yesterday \$102 was subscribed for their aid. The amount collected at the Belleville Avenue Rink on Wednesday night was \$56 37.

NEWS NOTES FROM ROUND ABOUT.

The new water works at Freehold, N. J., were opened yesterday with appropriate curemonies. The capacity of the works is 250,000 gallons a day. The body of William Bartell, a bartendor, was found in the Passaic River at Paterson. N. J., yesterday. It was be who leaped from Uncoin Bridge last month. James Pao, a brukemen, of Bordentown, N. J., snapleyed on the l'enurgivania Railrond, was knocked down and killed by a train at Bristol, Pa., yesterday morning. Governor Abbett will review the Essex troop of cavalry on Monday next, in Newark. They will parade and give an exhibition drill under command of Colonel J. E. Flowtor.

The Metropolitah Insurance Company of Newark has refused payment of the policy of John C Huber, who rounnitted saicide Tuesday. The manager has offered o return the premiums paid.

o return the premiums paid.
The injuries received in a fight with Wiltiam Ferguson, thatter, of No. 141 Warren street, Nawark, conline Louis I. Hurdick, of No. 235 Bank street, to his bed with a reken leg. Ferguson has been arrested.
The frame house and stable at No. 181 Water street, evenrk, occupied by James Brown and family, were deproyed by the tast night. Brown was compelled to leap your a secend story window, but escaped with slight interp. Less \$3,000.

LALLY TAKES FRIGHT AND FLIES THE CITY.

Delatti, the Italian, Still Professes Ignorance of the Man Who Fired At Him in the Water Street Dive.

THEY CAN CONVICT WITHOUT HIM

William Smith, of Brooklyn, Was an Eye Witness to the Affray, and Swears That the Ex-Bridge Policeman Did the Shooting.

Ex-Bridge Policeman Michael Lally has lost faith in his "pull" and has fied the city. His reign of terror in this community with club and pistol is ended for the time being. Detectives Reilly and Von Gerichten were scouring the city for him yesterday, but he was not to be found at any of his

At his father's saloon on Front street everybody professed ignorance of his whereabouts. Lally

vas not captured up to a late hour last night. Assistant District Attorneys Davis and Townsend were kept busy yesterday getting their evidence in shape to present to the Grand Jury to-day. John Delatti, the Italian, whose memory so suddenly became a blank as to the man that shot him in the "dive" known as "The Old Home," No. 342 Water street, was brought from the House of Detention before Mr. Davis. He still claimed that he could not swear who fired at him.

A witness, however, was found yesterday to the shooting, and his affidavit is now in possession of Mr. Townsend.

His name is William Smith, of No. 24 Hudson avenue, Brooklyn. His story is that Delatti was behind the bar awaiting orders when a man came in and asked Delatti for a drink. Delatti replied, You will got no drink here. You had better go. Lally, who had just come in, partially intoxicated, said to Delatti, "No. You wouldn't give it to

Lally, who had just come in, partially intoxicated, said to Delatti, "No. You wouldn't give it to him." Delatti said to Lally, "You go on about your businessa." Lally walked straight up to the corner of the bar, and Delatti said to him, "Don't you come in here." He then got a club from behind the bar and said to Lally and the other man, "Now, go on! or! I drive you."

Delatti then raised his club and atruck some one. Laily draw his pistol from his hip pocket and, pointing it at Delatti, fired, saying "Take that!" Delatti cried, "Hely! help!" ran out into the hallway and tried to get up staire.

Lally thrust his pistol back into his hip pocket and ran out the front door on Water street, and Smith after him.

Smith followed Lally into Henry Clark's saloon, corner of James slip. Then he lost sight of him. One of the girls who was a witness to the shooting was standing in front of Clark's saloon and said to him, "I'll watch him. You go get a polideman." Smith found Polloman Smith and told him what had bappened.

They returned to Clark's saloon. One of the women shouted to him from across James slip and said, "Come over hore!" She was glanding as the time in front of Foleyis saloon. On the cornea of James street. The policeman went over to her and she said she knew the man who had shot Delatti. The policeman tock her into the saloon and confronted him with Delatti, who pointed to Lally and said, "That's the man who shot me."

It is a limost a certainty that Lally will be indicated to-may. If convicted of assault in the first degree he can be sent to State Prison for from ten to twenty years.

INSISTS IT IS A FRAUD.

INSISTS IT IS A FRAUD.

LAWYER GAYNOR ONCE MORE AMENDS THE COM-PLAINT IN THE WATER SUITS.

Another move has been made in the Brooklyn water works suit. Lawyer Gaynor, for the plain tiff, served a notice of a motion to amend his com plaint and a demurrer on Corporation Counsel Jenks, and an agreement was entered into yester day for the trial of the issue of law before the March term of the Supreme Court.

Mr. Gaynor in his notice to Mr. Jenks stated that in view of the recent decision of the Court of Appeals in the case of Talcott verses the City of Buffalo, he would move to amend his complaint by adding to one of the sections that the defendants knew that the price at which they proposed to buy the Long Island water supply plants was about \$750,000 in excess or its true value, and that they did it in order to favor the defendant company

did it in order to favor the defendant company and its representatives and owners of the stock, and enable it and them to defraud the city of Brooklyn.

He also stated that the defendants were informed that the stock of the company had been purchased for \$70 a share and wanted to defraud the city by arranging for its purchase at \$300 per share.

Mr. Ziegler's lawyer demurs on the ground that the defence is insufficient in law. To this Mr. Jonks wrots yesterday in reply asking Mr. Gaynor to admit service of notice of trial of this demurrer for the March term in order that the questions of law and of fact may be disposed of.

Mr. Gaynor gave his consent.

ELOPED WITH BARTOW.

ME. BROWN CAPTURED THE COUPLE, BUT TOOK BACK ONLY HIS CHILD.

Suit to recover \$25,000 will be brought to-day by Charles A. Brown against Frank M. Bartow for alienating his wife's affections.

Bartow, who is a tall young man of medium height, is president of the Elite Social Club and lives at No. 151 North Oxford street, Brooklyn, with his parents. He is employed as a bookkeeper by Walker & Bresnan, William and Frankfort streets, Walker & Bresnan, William and Frankfort streets, this city. Brown, whose wife, Sarah I. Brown, is a pretty, dark eyed young woman, is an employé of the Union Ferry Company and also keeps a restaurant at No. 458 Myrtle avenue. The parties have been married several years and have two children—Bertha, four years, and Archite, eleven years of age. Mrs. Brown left her home on Wednesday, February 4, taking with her one of the children and 3500 belonging to her husband, It was not until sunday last that he discovered that his wife was living in a flat at No. 418 East Eighty-first street, this city. He learned that Bartow was a regular visitor at the flat.

Thereupon Brown directed his lawyers, Mossys.

Thereupon Brown directed his lawyers, Messrs. Treadwell and Caperon, to commence suit for divorce against the woman. The papers were served on Mrs. Brown at the flat on Wednesday

Erown, who was accompanied by the lawyers' clerk and two friends, recovered possession of his Bartow was present at the time, but the injured husband was admonished by his friends to re-frain from assaulting him.

SPARROW POLICE IN TROUBLE

Captain McNamara, of the Prospect Park police made charges against eight of his patrolmen to Police Commissioner Hayden vesterday. He accused them of neglect of duty, and related an interesting story of how he personally caught them enscenced in sentry boxes while dogs were com-

ensconced in sentry boxes while dogs were committing depradations in the animal enclosure of the park.

Captain McNamars said he started out at eleven o'clock last Friday night to see how the men patrolled their posts in the park. It was a clear, moonlight night. He found none of the patrolmen on post. All were in sentry boxes taking things easy, and Policeman Creamer was found drunk in a box. In addition to these charges Captain McNamars also preferred a charge of neglect of duty against Sergeant Foster for permitting dogs to enter the barnyard and kill two of the sheep.

VICTIMS OF A FIRE.

The funeral of Mrs. Mary Henry and her four children, who were burned to death in their home on the third floor of the frame building No. 170 Hopkins street, Brooklyn, early on Wednesday morning, will take place this afternoon from the morning, will take place this afternoon from the Park avenue chapel of the Tompkins Avenue Congregational Church. Rev. Dr. E. R. Merediti: and Rev. Charles W. King will conduct the services. Three of Mrs. Henry's children attended the church and Sunday school. The interment will be in the Lutheran Cemetery.

Jacob Emick, the journeyman baker who was in the bakeshon when the pot of fat was upset and set fire to the house, is still in St. Catharine's Hospital suffering from burns on his hands and face.

LYMPH COULD NOT HELP HER,

The lymph treatment was unsuccessful in the case of Miss Rydie Wenzel, the daughter of Augustus Wenzel, a druggist at No. 364 Broad-

way, Brooklyn, who died yesterday at her parents' residence of consumption. Miss Wenzel contracted a cough at a summer resort last August and it developed into consumption.

The lymph treatment was decided upon in December last. No effect followed the first injection, and a more powerful injection was applied with no result. More injections were made, when the doctors became satisfied that it was useless to apply the lymph any longer.

CAN'T BURY HIS CHILD.

WITH NOT A PENNY, A SICK WIFE AND A DEAD

BABY, GLEAS N'S LOT IS HARD. Ill luck has followed few men as it has John Gleason, a longshoreman, in whose poorly furnished home on the second floor of No. 110 Har rison street, Brooklyn, the dead body of his twoyear-old-daughter, Alice, is lying.

In an unventilated bedroom, on a a broken down bedstead, his wife has lain for nine months, suffer ing with heart disease and rhoumatism. Gleason, who is known among his neighbors as a hard work ing and sober man, has been out of work since the beginning of the new year.

When I called at his home yesterday he was weeping over the body of his dead child, which lay on the table, with two wax tapers burning over it. There was neither fire, fuel nor food in the room Two of his children were shivering with the cold, while his unfortunate wife lay in bed, covered

cold, while his unfortunate wife lay in bed, covered only with an old dress. Her death is a question of a short time. No doctor has attended her in six weeks. Two ambulance surgeons visited her last week, but left without prescribing for her. They also refused to take her to the hospital.

"I am only too willing to work," said Gleason, but luck has been against me. My wife has been unable to leave her bed in nine months and my children have had to eat what kind neighbors gave them. I have not a penny in the world and cannot bury my child. No doctor will come here unless I pay him, and I can't do it. I cannot tell what day my wife may die."

Gleason's child literally died of starvation. Another, a boy, is also ill for want of proper nour-ishment.

FATHER YODYZSUS' DEFIANCE.

AN ORDER OF ARREST ON A CRIMINAL CHARGE REFUSED BY THE POLICE JUSTICE.

No warrant was issued by Justice Goetting in Brooklyn yesterday for the arrest of Father Yodyzsus, the Polish priest, whom Bishop Lough lin has virtually suspended from his priestly functions, but who has defied the order and continues to celebrate mass.

The committee of parishioners who applied for a warrant for the priest's arrest on a charge of ob taining money under false pretences were told to seek civil proceedings. Justice Geetting said, in his opinion, the evidence was not sufficient to warrant Yodyzsus' arrest on a criminal charge.

Bishop Loughlin said yesterday afternoon that Father Yodyzsus had no right to collect money for the church. This would seem to indicate that the priest has been suspended. The same committee will consult the Bishop's lawyer to-day and institute criminal proceedings against Father Youyzsus now that the Bishop has openly stated that he has no right to collect any money for church purposes. Father Yodyzsus would see no one who called at his residence in North Tenth street last night. He sont word by his servant that h. was sick.

The charges of assault made against him by Mrs. Agnes Czesnewicz, one of his parishioners, and Maggie Kiatkawska, his servant, will be tried in the Lee Avenue Police Court this morning.

THEY WILL BUILD A NEW CHURCH.

The Brooklyn Presbytery met at the church at Villoughby avenue, near Broadway, last night. Moderator J. V. W. Schenck presided.

A number of communications were read from Hartman F. Bernhart, the pastor, and the seceding members of the Hopkins Street German Presby-terian Church, withdrawing from the presbytery. After an animated discussion Mr. Bernhart's name was dropped from the roll and a committee of five was appointed to receive the property of the church and re-establish it with the members of the congregation who remained. Mr. Bernhart and his followers intend to organ-ize and build an independent church.

GEORGE CUNNIFF DEAD.

George Cunniff, the Brooklyn grocer who was found in a bathroom in the St. George Hotel, Brooklyn, on Wednesday afternoon, with a bullet in his brain, died there at five o'clock last evening Cunniff did not recover consciousness after he was found in a dying condition. His friends deny that he was a suicide and cite in proof of their theory of accidental shooting the fact that the revolver was found on the bureau in his room on the floor below. Cunniff had been proprietor of a prosporous grocery store for twenty years, and is said to have amassed a fortune of about \$200,000. His brother-in-law says that his mind had been slightly affected for some time. Cunniff did not recover consciousness after he

ALL AROUND BROOKLYN.

The Thirteenth Regiment Armory Commission held a meeting yeaterday in the Mayor's office, at which Architect Davis submitted medified plans of the new armory which brought the cost of the structure within the appropriation of \$300,000. The sub-committee adorsted the report and recommended its adoption to the commis-Bishop Loughlin was much improved yesterday, and it was said at his residence that he would be able to leave his bed and take a little outdoor exercise.

his bod and take a little outdoor exercise.

Ex-Assemblyman Robert E. Connolly, whose disappearance was reported in the Himald on Wednesday, has returned to his home in Hart strest. He is suffering with malaria, and since his departure, two weeks acc, he has been stopping at a relative's house.

A business meeting was held at the house of the Union League Club lass evening to strange for the election which is to take place in two weeks. There was no altigion to the alleged intention of the club to append a committee to procure counsel to defend the proposed coutest of Assemblyman Aspinall's seat.

Victor Norbork, a mechanic Assemblyman as well as the seat. Victor Norborg, a mechanic, twanty one years eld, of No. 80 Fourth place, while at work yesterday on the roof of the three story building No. 234 Nassau street, fall to the yard fracturing hie skull. He was placed in an ambulance, but died on the way to the Homosopathic Hospital.

pitsl.

Margaret Mullen, aged seventy-five years, who said she lived on Eighteenth strees, New York, was committed to Raymond Street Jail by Justice Goetting, yesterday on a charge of vagrancy. The police think she is a "croon," as she had in her possession when arrested a bundle that contained anumber of silk and satin dreesea, two boys, caps overcoats and finned undexton all of the value of \$200, and she refused to give an accounting of the property.

FOUND DEAD IN THE RIVER.

The body of William Bartell was found wedged between rocks near the shore in the Passaic River showed that the body had been in the water for a long time. The features were unrecognizable. Frank Bott, who discovered the body, notified the police, and Undertaker Hindle removed the body to his morgue.

Henry Bartell, of Madison street, called at the Morgue, and after examining the clothing and papers found on the body identified it as tha papers found on the body identified it as that of his son, William Bartell, who disappeared about two months ago. The presumption is that Bartell is the man who jumped off Lincoln's Bridge in the latter part of December and who was seen to drown by Joseph Durgett and others who made an effort to rescue him. It is supposed that the body lodged in the river, which was covered with ice at the time, and the heavy rainfall of the past few days having swollen the stream the waters dislodged it and caused the body to float down and the ourrent near the bend of the river drove the body into the shore.

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